

Appln. No. 10/773,648
Amendment
Reply to Office Action dated December 16, 2004

Docket No. 200-89

REMARKS

The foregoing amendments and these remarks are in response to the Office Action dated December 16, 2004. This amendment is timely filed.

At the time of the Office Action, claims 1-13 were pending in the application. In the Office Action, the drawings and specification were objected to for informalities. Claims 1-13 were objected to for informalities. Claims 7-11 were rejected under 35 U.S.C. §112, second paragraph. Claims 1-4 and 6 were rejected under 35 U.S.C. §102(b). Claims 5 and 7-13 were indicated to be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. The rejections are discussed in more detail below.

I. Objections to the Drawings

The drawings were objected to under 37 CFR §1.84(p)(5) because reference numbers 66 and 58 were missing from the specification. The specification is amended to include reference number 66, however reference number 58 was included in the specification as filed, on page 7, line 30.

The drawings were also objected to under 37 CFR §1.84(p)(4) because reference number "46" was asserted to have been used to designate both a slot and an air gap on page 7 of the specification. The specification is duly amended herein so that reference number 46 designates a slot and reference number 48 designates an air gap.

An objection was additionally raised to the drawings because reference numbers 46 and 48 have been used to designate an air gap on page 7 of the specification and reference numbers 44 and 24 have both been used to designate a lug on page 7 of the specification. As discussed above, the specification has been amended so that reference numbers 46 designates the designates a slot and reference number 48 designates an air gap. Similarly, the specification is amended so that the lug is only referred to using reference numeral 44.

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The drawings were objected to because Figures 1-3 were asserted to appear to be connected. A replacement drawing sheet is attached hereto which shows the Figures better separated.

Lastly, the drawings were objected to under 37 CFR §1.83(a) for failing to show the "worm gear" specified in the claims. Claim 1 is corrected herein to recite a "worm" instead of a "worm gear". The worm is described on page 1, first paragraph, as "a worm that meshes with the external teeth of the spindle nut". This is realized in the illustrated embodiment by the worm 52 of the worm wheel 26 and the external teeth of the spindle nut 24. Thus, the "worm" is illustrated in the drawings, and no corrections thereto are believed appropriate.

For the foregoing reasons, withdrawal of all the drawing objections is respectfully requested.

II. Objections to the Specification

The specification is objected to because a description for reference numbers 58 and 66 are missing from the specification. Applicants note that reference number 58 is mentioned on page 7, line 30. Regarding reference number 66, the specification is amended herein to include reference number 66. The specification was also objected to because the air gap has two reference numbers 46 and 48. Reference number 46 stands for the slot and reference number 48 designates the air gap. Appropriate corrections to the specification are made herein, and withdrawal of the objections is therefore respectfully requested.

III. Claim Objections

Claims 1-13 were objected to because the "worm gear" was not shown in the drawings. The worm wheel comprises a worm, i.e. teeth that form a worm and mesh with the external teeth of the spindle nut, and not a worm gear. The claims are amended herein to recite "worm" instead of "worm gear", and withdrawal of the objection is thus respectfully requested. The worm wheel is described on page 1, first paragraph, lines 6 and 7 as comprising "a worm that meshes with the

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external teeth of the spindle nut", and not a worm gear. The worm is realized by the worm 52 of the worm wheel 26 and the external teeth of the spindle nut 24, and is thus shown in the drawings.

IV. Rejections under 35 U.S.C. §112, second paragraph

Claims 7-11 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Office Action asserts that it is not clear in 7-11 which of the features a) to g) are referred to. It is believed that claims 7, 8 and 9 are clear in that each of these claims requires that 2, 3 or 4 of any of the features a) to g) respectively must be present. Withdrawal of the rejection of claims 7-11 under 35 U.S.C. §112, second paragraph, is therefore believed to be appropriate.

V. Claim Rejections on Art

Claims 1-4 and 6 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,260,922 to Frohnhaus et al. (Frohnhaus). Frohnhaus does not teach or suggest the feature of c) of the original claim 1, i.e. Frohnhaus does not show a stop disk having a projection which engages into a corresponding recess of the spindle nut and forms an antirotation lock. Applicant has therefore amended claim 1 to recite only this feature. Claim 1 is thus believed to relate to patentable subject matter, and to be in condition for allowance. The dependent claims are believed allowable because of their dependence upon an allowable base claim, and because of the further features recited. The additional cited prior art has been studied and carefully considered. However, it is not believed that this state of the art is relevant for the claims now on file.

VI. Allowable Subject Matter

Claims 5 and 7-13 were indicated to be allowable if rewritten to overcome the 35 U.S.C. §112 rejection, and to include all of the limitations of the base claim and any intervening claims. Applicant has duly rewritten claims 5, 7-9 and 13 in independent form herein. Authorization to charge Deposit Account No. 50-0951 for the additional independent claims fees is attached.

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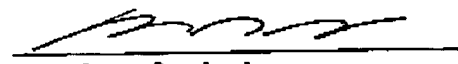
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VII. Conclusion

Applicant has made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. Nevertheless, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

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